

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

ADVANCED HAIR RESTORATION LLC,
Plaintiff(s),
v.
BOSLEY INC,
Defendant(s).

CASE NO. C23-1031-KKE

ORDER ON STIPULATED MOTION TO
EXTEND CASE SCHEDULE

This matter comes before the Court on the parties' stipulated motion to extend the case schedule. Dkt. No. 26. The Court finds good cause to extend the case schedule and GRANTS the stipulated motion. *Id.* Accordingly, the Court ORDERS the case schedule be amended as follows:

Event	Prior Deadline	New Deadline
JURY TRIAL SET FOR 9:30 a.m. on	3/3/24	6/2/2025
Length of trial	8 days	8 days
Deadline for filing amended pleadings	4/1/24	6/3/2024
Disclosure of expert testimony under FRCP 26(a)(2) due	8/5/2024	11/5/2024
Rebuttal expert witness disclosures		12/17/2024
All motions related to discovery must be filed by		12/18/2024
Discovery must be completed by	10/4/2024	1/15/2025
All dispositive motions and motions challenging expert witness testimony must be filed by this date (see LCR 7(d)). Such motions must be noted for	11/4/2024	3/14/2025

consideration no later than the fourth Friday thereafter (<i>see</i> LCR 7(d)).		
Settlement conference, if mediation has been requested by the parties per LCR 39.1, held no later than	1/2/2025	4/2/2025
All motions in limine must be filed by	1/27/2025	4/28/2025
Proposed jury instructions and agreed LCR 16.1 Pretrial Order due, including exhibit list with completed authenticity, admissibility, and objections fields	2/10/2025	5/12/2025
Trial briefs, proposed voir dire questions, and deposition designations due	2/18/2025	5/19/2025
Pretrial conference scheduled at 10:00 a.m. on	2/21/2025	5/23/2025

All other dates are specified in the Local Civil Rules. The dates set forth in this order are firm dates that can be changed only by order of the Court, not by agreement of counsel for the parties. The Court will alter these dates only upon good cause shown. Failure to complete discovery within the time allowed is not recognized as good cause. If any of the dates identified in this Order or the Local Civil Rules fall on a weekend or federal holiday, the act or event shall be performed on the next business day.

If the trial date assigned to this matter creates an irreconcilable conflict, counsel must notify Diyana Staples, Courtroom Deputy, at Diyana_Staples@wawd.uscourts.gov in writing within ten (10) days of the date of this Order and must set forth the exact nature of the conflict. A failure to do so will be deemed a waiver. Counsel must be prepared to begin trial on the date scheduled, but it should be understood that the trial may have to await the completion of other cases.

CHAMBERS PROCEDURES

A. Communications With Chambers

Parties should direct initial inquiries they have to courtroom deputy Diyana Staples at Diyana_Staples@wawd.uscourts.gov. Ex parte communications with chambers involving any

1 matter other than checking on a decision on a motion under LCR 7(b)(5) or settlement are strongly
2 discouraged. For any other types of inquiries, all parties must be copied on the email when
3 communicating with the courtroom deputy.

4 B. *Courtesy Copies*

5 Courtesy copies are required for pleadings that in the aggregate (*i.e.*, the brief plus any
6 declarations or exhibits) are longer than 50 pages, trial exhibits, or upon Court request. If a party
7 believes that courtesy copies may be helpful, such as for complex graphs or images best viewed in
8 color, the party may submit a courtesy copy to chambers for the Court's ease of reference. The
9 courtesy copy must be the version of the document with the header generated by CM/ECF, as this
10 header includes important information (*i.e.*, case number, document number, page number, date
11 filed, etc.). Courtesy copies shall be printed double-sided. Courtesy copies should be three-hole
12 punched, tabbed, and placed in a binder or otherwise bound.

13 C. *Cross-Motions*

14 The Court encourages parties filing cross-motions to agree to an alternate briefing schedule
15 allowing for four briefs (one cross-motion, second cross-motion/opposition, opposition/reply, and
16 reply) rather than a full six briefs (motion, opposition, and reply for each cross-motion). If the
17 parties can reach an agreement on such a schedule and any necessary adjustments to the page/word
18 limits, they shall submit a stipulated motion and proposed order for the Court's approval.

19 D. *In Camera Review*

20 If the Court orders a party to submit documents for *in camera* review, the party shall email
21 an electronic copy of the documents to courtroom deputy Diyana Staples at
22 Diyana_Staples@wawd.uscourts.gov. The party shall also deliver a physical copy of the
23 documents to chambers, clearly marked for *in camera* review to avoid inadvertent filing on the
24 docket.

E. *Stipulated Extensions of Deadlines*

Please note the Court requires approximately 120 days between the deadline for filing dispositive motions and the trial date. Stipulated motions proposing a case schedule that does not comply with this requirement will be denied.

PROCEDURE FOR DISCOVERY DISPUTES

As required by LCR 37(a), all discovery matters are to be resolved by agreement if possible. If agreement is not possible, prior to the filing of any discovery motions, the Court directs the parties to request a conference with the Court. *See* Fed. R. Civ. P. 16(b)(3)(B)(v). The movant must submit a joint statement to the Court briefly identifying the issue(s) in dispute. The joint statement shall be no more than three pages and shall be filed via CM/ECF. Thereafter, the movant should contact Diyana Staples at Diyana_Staples@wawd.uscourts.gov to schedule a conference.

EXHIBITS

Counsel are directed to cooperate in preparing the final pretrial order in the format required by LCR 16.1, except as detailed below. The parties must deliver two copies of their respective trial exhibits to Diyana Staples, Courtroom Deputy, seven days before the trial date. Each exhibit shall be clearly marked. The Court hereby alters the LCR 16.1 procedure for numbering exhibits: Plaintiff(s)' exhibits shall be numbered consecutively beginning with 1; Defendant(s)' exhibits shall be numbered consecutively beginning with 500. Duplicate documents shall not be listed twice. Once a party has identified an exhibit in the pretrial order, it may be used by any party. Each set of exhibits shall be submitted in a three-ring binder with appropriately numbered tabs.

In addition, no later than seven days before the trial date, the parties should send an electronic copy of all exhibits in .PDF format with Optical Character Recognition ("OCR") searchable text to Diyana Staples, Courtroom Deputy, at Diyana_Staples@wawd.uscourts.gov. The parties should notify the Court of any physical objects or files that cannot be transmitted

electronically. Exhibits must be marked as described above, and the following protocols also apply: (1) Electronic exhibits must be transmitted individually (i.e., one exhibit per file), but exhibits may have multiple pages; (2) Exhibit file names should match the descriptions listed on the joint exhibit list as closely as possible except that file names should not exceed 80 characters, e.g., Ex. 1 – Accident Scene Photo; Ex. 501– Email dated 4–03–23.

PRIVACY

Pursuant to LCR 5.2(a), parties shall refrain from including, or shall partially redact where inclusion is necessary, the following personal data identifiers from all documents filed with the Court or used as exhibits in any hearing or at trial, unless otherwise ordered by the Court:

- Dates of Birth – redact to the year of birth, unless deceased.
- Names of Minor Children – redact to the initials, unless deceased or currently over the age of 18.
- Social Security or Taxpayer Identification Numbers – redact in their entirety.
- Financial Accounting Information – redact to the last four digits.
- Passport Numbers and Driver License Numbers – redact in their entirety.

Parties in social security appeals and immigration cases shall comply with LCR 5.2(c).

SETTLEMENT

If this case settles, counsel shall notify Diyana Staples via email at Diyana_Staples@wawd.uscourts.gov as soon as possible. Pursuant to LCR 11(b), an attorney who fails to give the courtroom deputy prompt notice of settlement may be subject to sanctions.

Dated this 20th day of February, 2024.



Kymerly K. Evanson
United States District Judge